

1 FOLGER LEVIN & KAHN LLP  
2 Roger B. Mead (CSB No. 093251, [rmead@flk.com](mailto:rmead@flk.com))  
3 Karen J. Petrulakis (CSB No. 168732, [kpetrulakis@flk.com](mailto:kpetrulakis@flk.com))  
4 Andrew J. Davis (CSB No. 203345, [ddavis@flk.com](mailto:ddavis@flk.com))  
5 Embarcadero Center West  
6 275 Battery Street, 23rd Floor  
7 San Francisco, CA 94111  
8 Telephone: (415) 986-2800  
9 Facsimile: (415) 986-2827

10 Attorneys for Defendants Renn Transportation Company,  
11 Renn Transportation, Inc., Brad Renn, Patricia Renn,  
12 Ann Renn and Robert Renn

13 SEDGWICK, DETERT, MORAN & ARNOLD LLP  
14 STEVEN D. ROLAND (Bar No. 108097)  
15 RANDALL G. BLOCK (Bar No. 121330)  
16 TARA L. CONDON (Bar No. 215312)  
17 One Market Plaza, Steuart Tower, 8th Floor  
18 San Francisco, California 94105  
19 Telephone: (415) 781-7900  
20 Facsimile: (415) 781-2635

21 Attorneys for Plaintiff Caterpillar Inc.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CATERPILLAR INC., a Delaware  
Corporation,

Plaintiff,

v.

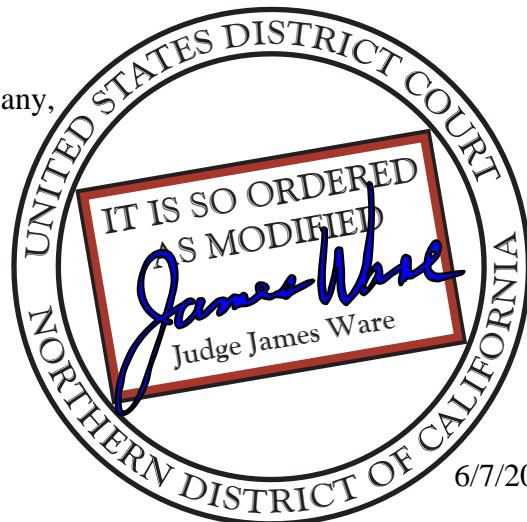
RENN TRANSPORTATION COMPANY,  
a California General Partnership, RENN  
TRANSPORTATION, INC., a California  
Corporation, BRAD RENN, PATRICIA  
RENN, ANN RENN and, ROBERT  
RENN, individuals, and Does 1-10,

Defendants.

Case No. 5:06-CV-04529

**STIPULATION AND PROPOSED ORDER  
FOR RELIEF FROM SCHEDULING  
ORDER**

**(Local Rule 16-2(D))**



1 By signatures of their counsel to this Stipulation, the parties to this action stipulate and  
 2 request that the deadlines set forth in this Court's May 25, 2007 Scheduling Order be continued as  
 3 set forth in the schedule below.

4 The parties desire to continue the dates set forth in the Scheduling Order for the following  
 5 reasons:

6 1. On March 20, 2007, the parties conducted an all day mediation session before the  
 7 Hon. Ellen Sickles James at JAMS. Although the parties did not resolve the dispute at the March  
 8 20, 2007 mediation, the parties agreed to and did reconvene for a second mediation session on  
 9 May 3, 2007. The parties, with the assistance of Judge James, have continued discussions and are  
 10 optimistic that they will resolve their disputes. Counsel for all parties desire to devote their time,  
 11 energies, and resources to their efforts to resolve this matter, rather than expend resources  
 12 completing tasks necessary to comply with the rapidly approaching deadlines (including  
 13 discovery, expert witness, and dispositive motion deadlines) set forth in the Court's May 25, 2007  
 14 Scheduling Order.

15 2. This Stipulation and Proposed Order is not interposed for purposes of delay but in  
 16 the interests of justice and the resolution of the controversies herein.

### 17 Case Schedule

18 Counsel for all parties have conferred with respect to these matters, and all parties agree to  
 19 continue the dates set forth in the Court's prior Schedule as reflected below:

<b>20 Defendants' Response to Third Amended Complaint</b>	<b>June 19, 2007</b> (continued from June 5, 2007)
<b>22 Disclosure of Expert Witnesses</b>	<b>July 30, 2007</b> (continued from July 16, 2007)
<b>23 Rebuttal Expert Witness Disclosures</b>	<b>August 20, 2007</b> (continued from August 6, 2007)
<b>25 Last Day For Hearing On Objections To Qualifications Or Testimony Of Expert</b>	<b>September 24, 2007</b> (continued from September 10, 2007)
<b>27 Close of All Discovery</b>	<b>October 1, 2007</b> (continued from September 17, 2007)

<b>Last Day For Hearing Dispositive Motions</b>	<b>November 5, 2007</b> (continued from October 22, 2007)
<b>Preliminary Pretrial Conference Statements</b>	<b>December 12 2007</b> (continued from December 5, 2007)
<b>Preliminary Pretrial Conference at 11:00 a.m.</b>	January 7, 2008 (continued from December 17, 2007)

Dated: June 5, 2007 FOLGER LEVIN & KAHN LLP

FOLGER LEVIN & KAHN LLP

*/s/ Roger B. Mead*

Roger B. Mead

## Attorneys for Defendants

Renn Transportation Company, Renn Transportation, Inc. Brad Renn, Patricia Renn, Ann Renn and Robert Renn

Dated: June 5, 2007

SEDGWICK, DETERT, MORAN & ARNOLD LLP

*/s/ Randall G. Block*

Randall G. Block

Attorneys for Plaintiff Caterpillar, Inc.

*Jamie Wiles*

PURSUANT TO STIPULATION, IT IS HERBY ORDERED that the schedule set forth in this Stipulation and Proposed Order is hereby adopted by the Court and the parties are directed to comply with this Order.

Dated: June 7, 2007

## The Honorable James Ware

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